

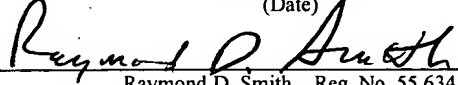
<b>Response to Missing Requirements Under 35 USC § 371</b>	Attorney Docket No.: DAVI186.004APC First Named Inventor: Olayioye et al. Int'l Application No.: PCT/AU2003/001664 US Application No.: 10/538,704 Entered National Phase: June 10, 2005 Title: A NOVEL PHOSPHOPROTEIN
<div style="display: flex; justify-content: space-between;"> <span><b>Direct all correspondence to Customer No.: 20995</b></span> <span>Date: February 17, 2006 Page 1 of 2</span> </div>	

**Mail Stop PCT**  
 United States Patent and Trademark Office  
 PO Box 1450  
 Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

February 17, 2006

(Date)

  
 Raymond D. Smith, Reg. No. 55,634

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated October 27, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 4 pages.
- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney in (1) page.
- (X) Sequence Listing in 4 pages.
- (X) Disk containing the Sequence Listing.
- (X) Sequence Submission Statement.
- (X) Return prepaid postcard.

<b>Response to Missing Requirements Under 35 USC § 371</b>	Attorney Docket No.: DAVI186.004APC First Named Inventor: Olayioye et al. Int'l Application No.: PCT/AU2003/001664 US Application No.: 10/538,704 Entered National Phase: June 10, 2005 Title: A NOVEL PHOSPHOPROTEIN
	Direct all correspondence to Customer No.: 20995

Date: February 17, 2006  
Page 2 of 2

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Balance of Unpaid Filing Fee				\$600
Excess Claims	34 - 20 = 12	1615 (\$50)	12 x 50 =	\$600
Excess Ind. Claims	15 - 3 = 12	1614 (\$200)	12 x 200 =	\$2400
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$360
2 Month Extension	37 CFR § 1.17(a)(2)	1252 (\$450)		\$450
			<b>SUB TOTAL</b>	\$4540
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$2270)
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$0
			<b>TOTAL FEE DUE</b>	\$2270

(X) A check in the amount of \$2270 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

02/23/2006 MKAYPAGH 00000047 10538704  
 Adjustment date: 03/27/2006 SAHMED1  
 03/23/2007 MKAYPAGH 00000047 10538704 00  
 02 FC:1256 -1690.00 CR

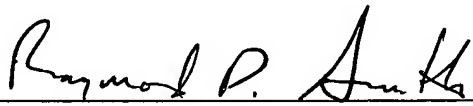
Repln. Ref: 03/27/2006 SAHMED1 0008312600  
 DAH:111410 Name/Number:10538704  
 FC: 9204 \$1690.00 CR

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2363066:cbm  
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02/23/2006 MKAYPAGH 00000047 10538704

03 FC:1252 450.00 CR

  
 Raymond D. Smith  
 Registration No. 55,634  
 Agent of Record  
 Customer No. 20,995  
 (949) 760-0404

DAVI 186.004APC  
DEA/RDS



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,704	Olayioye Monilola	DAVI186.004APC

INTERNATIONAL APPLICATION NO.
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PCT/AU03/01664

I.A. FILING DATE	PRIORITY DATE
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12/12/2003

12/13/2002

20995

KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

CONFIRMATION NO. 6939

371 FORMALITIES LETTER



\*OC000000017332209\*

Date Mailed: 10/27/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Copy of IPE Report filed on 06/10/2005
- Preliminary Amendments filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Priority Documents filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,704	PCT/AU03/01664	DAVI186.004APC

FORM PCT/DO/EO/905 (371 Formalities Notice)